

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In re Application of	)	
	)	
<b>Matinee Radio, LLC</b>	)	NAL/ Acct. No. MB-200741410353
	)	FRN No. 0011326436
	)	
For a Construction Permit for a New FM Station for	)	File No. BNPH-20050103AAU
Marfa, Texas	)	Facility ID No. 164217

**ORDER**

**Adopted: July 20, 2007**

**Released: July 23, 2007**

By the Chief, Media Bureau and the Chief, Wireless Telecommunications Bureau:

1. In this Order, we adopt the attached Consent Decree entered into by the Media Bureau of the Federal Communications Commission, the Wireless Telecommunications Bureau of the Federal Communications Commission, and Matinee Radio, LLC, ("Matinee") applicant for the above-referenced construction permit for a commercial FM broadcast station on Channel 228C1 at Marfa, Texas. The Consent Decree resolves matters raised in the Media Bureau's investigation of Matinee.<sup>1</sup>

2. The Consent Decree provides, among other things, that Matinee will make a Thirty Five Thousand Dollar (\$35,000) voluntary contribution to the United States Treasury. A copy of the Consent Decree is attached hereto and incorporated by reference.

3. After reviewing the terms of the Consent Decree, we believe that the public interest will be served by its adoption. We also conclude that the matters raised in our review of the captioned application do not raise any substantial or material questions of fact regarding Matinee's qualifications to be a Commission permittee of the proposed Marfa facility and will terminate our investigation of Matinee.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 4(i) and (j) of the Communications Act of 1934, as amended,<sup>2</sup> and Sections 0.61, 0.131, 0.283 and 0.331 of the Commission's rules,<sup>3</sup> that the Consent Decree attached hereto IS ADOPTED.

5. IT IS FURTHER ORDERED that copies of this Order shall be sent, by first class mail and certified mail, return receipt requested, to Matinee Radio, LLC, 5842 Westslope Drive, Austin, Texas

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<sup>1</sup> See Letter from Peter H. Doyle, Chief, Audio Division, Media Bureau, Federal Communications Commission to Matinee Radio, LLC (May 23, 2006); and Letter from Peter H. Doyle, Chief, Audio Division, Media Bureau, Federal Communications Commission to Matinee Radio, LLC (Dec. 15, 2006).

<sup>2</sup> 47 U.S.C. § 4(i) and (j).

<sup>3</sup> 47 C.F.R. §§ 0.61, 0.131, 0.283, and 0.331.

78731 and to its counsel, David H. Solomon, Esquire, Wilkinson Barker Knauer, LLP, 2300 N Street, NW, Washington, DC 20037 and Jeffrey L. Timmons, Esquire, Suite G-5, 1400 Buford Highway, Sugar Hill, Georgia 30518.

FEDERAL COMMUNICATIONS COMMISSION

Monica Shah Desai  
Chief, Media Bureau

Fred Campbell  
Chief, Wireless Telecommunications Bureau